

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: EDWARD MELHEM, : Case No. 18-12798REF  
Debtor : Chapter 13

**ORDER**

AND NOW, this 17 day of September, 2018, upon my consideration of the motion of BOFI for relief from the automatic stay nunc pro tunc and to dismiss this case, and upon the failure of Debtor to respond, and upon BOFI's changing its name part way through its motion and upon BOFI advancing two entirely different motions in a single pleading,

IT IS HEREBY ORDERED that the motion is GRANTED in part and DENIED in part.

IT IS FURTHER ORDERED that BOFI is GRANTED relief from the automatic stay, FIRST, to avoid any sanctions or other repercussions against BOFI for having taken action against Debtor after this bankruptcy was initiated and before BOFI had notice of this bankruptcy, and SECOND, to allow BOFI to proceed with its rights and remedies in its loan documents against Debtor in state court.

IT IS FURTHER ORDERED that the stay of Bankruptcy Rule 4001(a)(3) is waived and BOFI may proceed immediately with its state court proceedings.

IT IS FURTHER ORDERED that, insofar as BOFI's motion requests all post-petition state court actions and decisions against Debtor be allowed

to stand, the motion is DENIED because all state court actions and decisions after April 26, 2018, are voidable and are hereby void.

IT IS FURTHER ORDERED that Debtor shall show cause why his bankruptcy should not be dismissed pursuant to Section 109(e) of the Bankruptcy Code and Debtor's apparent violation thereof in filing a Chapter 13 case, the hearing for which show cause shall be held at the following place, date, and time:

**U.S. Bankruptcy Court – E.D. Pa.  
The Madison – Third Floor  
4<sup>th</sup> & Washington Streets  
Reading, PA 19601  
September 27, 2018, at 9:30 a.m., prevailing time.**

BY THE COURT

A handwritten signature in black ink, appearing to read 'R. Fehling', written over a horizontal line.

Richard E. Fehling,  
United States Bankruptcy Judge